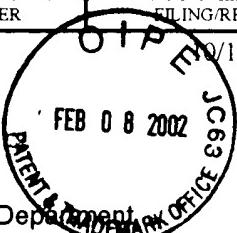




## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/976,620	OCT 9 12/2001	William H. Frey II	PP16156 002 (35784/239423)



Chiron Corporation  
 Intellectual Property Department  
 P.O. Box 8097  
 Emeryville, CA 94662-8097

CONFIRMATION NO. 1674  
 FORMALITIES LETTER



\*OC000000007063996\*

Date Mailed: 11/14/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

*Tod*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney's Docket No. PP16156.002 (35784/239423)

*Section 8*

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Frey II  
Appl No.: 09/976,620 Confirmation No.: 1674  
Filed: October 12, 2001  
For: METHOD FOR TREATING ISCHEMIC EVENTS AFFECTING  
THE CENTRAL NERVOUS SYSTEM

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

### RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts of Application dated November 14, 2001, enclosed are the following:

- Part 2 of Formalities Letter or Form PTO-1533  
(Notice to File Missing Parts of Application)
- Declaration and Power of Attorney for the above-identified application which has been executed by the named inventor(s)
- Applicant claims small entity status
- Check in the amount of \$130.00 to cover the declaration surcharge under 37 C.F.R. § 1.16(e)
- English Translation and \$130.00 (37 CFR 1.17(k)) fee for filing late.
- Other:

Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

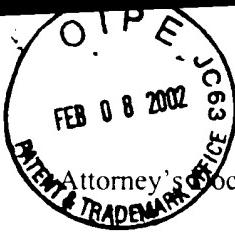
*Leslie T. Henry*  
Leslie T. Henry  
Registration No. 45,714

**Customer No. 00826**  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Raleigh Office (919) 862-2200  
Fax Raleigh Office (919) 862-2260

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **Box Missing Parts**, Commissioner for Patents, Washington, DC 20231, on January 10, 2002.

*Polly P. Burton*  
Polly P. Burton



Attorney's Docket No. PP16156.002 (35784/239423)

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Frey II  
Appl No.: 09/976,620 Confirmation No. 1674  
Filed: October 12, 2001  
For: METHOD FOR TREATING ISCHEMIC EVENTS AFFECTING  
THE CENTRAL NERVOUS SYSTEM

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

**SUBMITTAL OF DECLARATION  
UNDER 37 C.F.R. § 1.63**

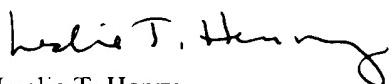
Sir:

Enclosed is a Declaration and Power of Attorney for the above-identified patent application that has been executed by the named inventors.

A check in the amount of \$130 is also enclosed to cover the surcharge under 37 C.F.R. § 1.16(e).

Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

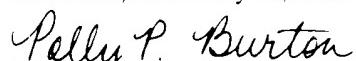
Respectfully submitted,

  
Leslie T. Henry  
Registration No. 45,714

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Charlotte, NC 28280-4000  
Tel Raleigh Office (919) 862-2200  
Fax Raleigh Office (919) 862-2260

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: **Box Missing Parts**, Commissioner for Patents, Washington, DC 20231, on January 10, 2002.

  
Polly P. Burton